IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

# WA.No. 1040 of 2004

AGAINST THE JUDGEMENT IN WPC.24136/2003 Dated 24/05/2004

APPELLANT: RESPONDENT NO.5

MUVATTUPUZHA MUNICIPALITY,
MUVATTUPUZHA REP.BY ITS SECRETARY.

BY ADV. SRI.V.M.KURIAN
SRI.A.V.THOMAS
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS: PETITIONER/RESPONDENTS 1 TO 4

1. A.M.SALAM, PROPRIETOR, AEM STEEL HOUSE, MUVATTUPUZHA.

2. STATE OF KERALA, REP.BY THE CHIEF SECRETARY TO GOVERNMENT, SECRETARIAT, THIRUVANANTHAPURAM.

3. THE ASSISTANT EXECUTIVE ENGINEER, NATIONAL HIGHWAY 49, MUVATTUPUZHA.

4. THE EXECUTIVE ENGINEER, NATIONAL HIGHWAY, ERNAKULAM.

5. THE DEPUTY SUPERINTENDENT OF POLICE, MUVATTUPUZHA.

SENIOR GOVERNMENT PLEADER SRI.M.R.SABU
SRI.P.SANTHALINGAM
SRI.A.D.SHAJAN

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**H.L. DATTU, C.J. & K.T. SANKARAN, J.**

**.....**

**W.A. No. 1040 OF 2004**

**.....**

**Dated this the 22nd June, 2007**

**J U D G M E N T**

**H.L. Dattu, C.J.:**

Questioning the correctness or otherwise of the judgment delivered by the learned single Judge in W.P.(C) 24136 of 2003 dated 24.05.2004, Muvattupuzha Municipality is before us in this appeal.

2. We have carefully perused the orders and directions issued by this court. The directions and orders so issued by this court is only in the interest of the people residing within the Municipal area. In our opinion, the directions and orders so issued by this court, can never be construed either as arbitrary or illegal. Therefore, no interference with the orders and directions issued by this court, is called for. Accordingly, the Writ Appeal requires to be rejected and it is rejected.

Ordered accordingly.

**H.L. DATTU,**
**CHIEF JUSTICE.**

**K.T. SANKARAN,**
**JUDGE.**

**lk**